

TOWN MANAGER
Ken Deal

TOWN CLERK
Amanda Eller

TOWN ATTORNEY
Tom Brooke



MAYOR
Don Bringle

TOWN COUNCIL
Brandon Linn
Ron Overcash
Charles Seaford
Mike Upright
Lee Withers

MINUTES
A regular meeting of the China Grove Town Council

Tuesday, October 4, 2011
7:00 p.m.

China Grove Town Hall
China Grove, North Carolina

CALL TO ORDER

Mayor Bringle called the meeting of October 4, 2011 to order and called roll. All council members were present with the exception of Mr. Brandon Linn, who was excused. There was a quorum. The meeting started at 7:00 pm at the Town Hall.

Mr. Seaford made a motion to adopt the agenda for the regular meeting of the Town Council on October 4, 2011. Mr. Withers seconded the motion, which carried unanimously.

Mr. Seaford made a motion to adopt the minutes from the regular meeting of the Town Council on September 6, 2011. Mr. Overcash seconded the motion, which carried unanimously.

CITIZEN COMMENTS

Mr. Alan Corriher – 503 Stevens Street

Mr. Corriher stated that he understood that speed limits have been changed in a couple sections in town. He stated that many years ago in Kannapolis the speed limit had changed and many officers were patrolling. He stated that this was the beginning of the downfall of Kannapolis. He stated the he doesn't want the Town to make it too hard to get in and out of.

PUBLIC HEARING – Ordinance Amending Chapter 58, Section 11. Penalties for Violation.

Mr. Deal stated that this item was brought before the Council at the previous meeting.

Mr. Brooke stated that he has spoken with Chief Kluttz concerning this issue. He stated that they feel the \$10 citation is the simplest solution.

Mayor Bringle stated that he feels \$50, the current fine, is too high. He stated that he has had several merchants express their concern with merchants parking on Main Street when they have parking behind their businesses.

Mr. Upright asked what the process is when someone doesn't pay the citation.

Mr. Brooke stated that it could be taken to small claims court.

Mr. Withers stated that it needs to be worth the Town's time.

Mr. Deal stated that the concept is that the police department will write warning citations and hope that there will not be many citations issued and it will alleviate some of the issues. He suggested a higher fee after a certain time period.

Mr. Upright suggested leaving it at \$10 per citation.

Mr. Withers stated that there should be a late penalty after thirty days.

Mayor Bringle opened the Public Hearing for citizen comments.

There were no comments.

Mayor Bringle closed the Public Hearing.

Mayor Bringle asked how many warning citations have been issued to this point.

Officer Avant stated that they have issued approximately 25-30 warning citations in two months.

Mr. Upright asked if we can make amendments to the ordinance that has been provided.

Mr. Withers made a motion to adopt the Ordinance with an amendment to add a penalty after 30 days of non-payment of \$50, sixty days to \$100, ninety days \$150 after which point it will be taken to small claims if remaining unpaid. Mr. Seaford seconded the motion. Mr. Upright and Mr. Overcash voted against the motion. The motion did not carry.

Mayor Bringle tabled the item until the meeting in November.

Mr. Withers stated that he wanted to make the council aware that the ordinance stands with a \$50 citation.

NEW BUSINESS

I) Fat, Oil, Grease and Wax (FOG) Control Program

Mrs. Teresa Barringer was present on behalf of Salisbury-Rowan Utilities. She stated that they will be walking through downtown and providing brochures to the business owners. She stated that this program is mandated by the EPA and the State of North Carolina. She stated that Rowan County has also adopted the program at a previous meeting. She stated that restaurants will be given time to become in compliance with the program regulations. She stated that Phase I is an introduction with the owners and Phase II will be where they contact the food service owners to arrange a meeting to help guide them through the process and requirements. She stated that grease cannot be broken down through waste water treatment and they are trying to keep down the costs of dealing with this waste. She stated that in order to fulfill their permit requirements, this program is required. She stated that any commercial facility that deals with food prep or the cleanup of food prep could possibly fall under these regulations but each case will be handled on an individual basis.

Mr. Seaford asked about churches and if they will fall under these requirements.

Mrs. Barringer stated that if they do not have a commercial business within their functions, they will not fall within these regulations. She stated that churches that have daycares or after school care that provide food service, they will fall under the guidelines.

Mrs. Barringer stated that a new business would be required to have plans approved for the installation of grease traps or interceptors. She stated that an average cost for the plans and installation are around \$1500 for a smaller installation or typical grease trap.

Mr. Seaford asked if there is a charge for reviewing plans for business owners.

Mrs. Barringer stated that SRU does not charge for that service but cannot speak for Rowan County Building Inspections.

Mr. Seaford asked if the oil and waste is being recycled.

Mrs. Barringer stated that the rendering/deep-frying oil can be recycled, but at this time she is not familiar with recycling of waste from grease traps. She stated that they will review a list of haulers that will remove the waste from their businesses and suggests that each business owner option quotes for their business.

Mrs. Barringer stated that approximately forty-three businesses may fall within these regulations. She stated that all three schools do have grease traps installed. She stated that all kitchens and devices will be evaluated and they will determine if the traps are deficient or meet the requirements. She stated that the deadline will be April 7, 2013

to make repairs. She stated that they suggest that owners work quickly to become compliant with the guidelines.

Mayor Bringle asked a typical fee for pumping the traps.

Mrs. Barringer stated that they charge by the volume. She stated that she has heard that the fee ranges around \$100-\$300 per month depending on the volume. She also stated that companies will provide a contract price.

Mrs. Barringer stated that through several meetings over the past several years, they have designed their program as middle-of-the-road as they could to protect the system but to also not be too restrictive or too cumbersome to the food service owners. She stated that they have offered a very lenient timeline as well compared to other agencies and municipalities.

Mrs. Barringer thanked the Council.

Mayor Bringle also thanked Mrs. Barringer for being present.

II) Resolution of Intent to Close Jackson Street and Portion of Park Street

Mr. Deal stated that information has been provided to the Council regarding the request to close Jackson Street. He stated that they thought the street had been closed previously but they could not find documentation.

Mr. Brooke stated that this is a standard Resolution of Intent to close a street.

Mayor Bringle asked Mr. Brooke to clarify who requested this closure.

Mr. Overcash stated that he has spoken with Mr. Weddington. Mr. Weddington stated that he does not want the property. He stated that his property is flooded when it rains. He also stated that we fixed a drain on Swink Street. He stated that the owner should not be responsible for the damages.

Mr. Withers asked who contacted Mr. Ketner.

Mr. Ketner stated that Mr. Weddington had contacted him to fix the drainage ditch. He stated that it was deed as a road but has never been cleared as a road.

Mr. Brooke stated that this is a request from the Town to close the road. He stated a survey would be required.

Mr. Upright asked what would happen if we don't do anything.

Mr. Brooke stated that nothing would happen.

Mr. Withers stated that he was under the impression that the homeowners had come to the Town.

Mayor Bringle stated that he would like to see the property and get feedback from the surrounding owners.

Mr. Upright asked if there have been issues or complaints from this area about drainage.

Mr. Ketner stated that he has not received complaints prior to Mr. Weddington's complaint.

Mr. Seaford made a motion to table this item until the next meeting. Mr. Withers seconded the motion, which carried unanimously.

III) Request to Increase Community Building Rental Rates

Mayor Bringle stated that there continually to be issues with the cleaning of the community building. He stated that Mr. Deal suggests a \$75 additional fee to the current rates.

Mr. Deal stated that to alleviate issues with cleaning he believes the cleaning fee will allow the renters to use the building and the Town will provide cleaning services.

Mr. Withers stated that the meal site employees do not leave the building clean and has always had to clean the building. He stated that he feels that renters shouldn't be penalized if they are cleaning the building. He also asked how many times the deposit has been kept this year.

Mr. Deal stated that the deposit covers the cost of damages.

Mr. Upright made a motion to approve the additional \$75 charge. Mr. Overcash seconded the motion. The motion carried 3-1 with Mr. Withers casting the opposing vote.

Mayor Bringle asked that they review the rental fees at next budget year to be sure they are covering costs to maintain the building.

IV) Request to Change Ordinance Chapter 26. Environment. Article II. Nuisances.

Mr. Deal stated that because of rain and foreclosures, numerous calls have been received concerning grass and junked vehicles. He stated that the ordinance currently reads to allow sixty days for cutting grass and a height limit of eighteen inches. He suggests the ordinance be changed to 12 inches and thirty days.

Mr. Withers made a motion to set the Public Hearing to November 1, 2011. Mr. Seaford seconded the motion, which carried unanimously.

OLD BUSINESS

OTHER BUSINESS

Mr. Withers stated that he noticed the Park Advisory Board met as thanked them for meeting. He asked Chief Gledhill to clarify from the Planning Board meeting minutes, the Fire Inspections Report.

Chief Gledhill stated that they would have Mr. Goodall to report to the Council.

Mayor Bringle asked the audience and public to apply to serve on committees and to submit their applications to the Council.

Mayor Bringle asked for an update on Town Hall and Fire Department.

Mr. Deal stated that they have completed considerable masonry work this week. He stated that he is still waiting on action to alleviate the erosion control issues. He stated that most underground lines are finished and the steel should be ordered next week.

Mr. Overcash stated that the dead trees need to be removed because they do not look good.

Mayor Bringle stated that he encourages everyone to attend the downtown trick or treating on Halloween from 4-5pm.

Mayor Bringle thanked Mr. Deal and staff for their ongoing communication and efforts towards the renovations.

Chief Gledhill stated he wanted the fire department crew to be present to learn more of how the Town Council operates. He recognized Tony Whittier as the new full time employee.

Mayor Bringle thanked them for being present and for what they do for the Town.

Mayor Bringle stated that he would like to see the Town move towards improving downtown beautification and enhancements.

ADJOURN

Mr. Upright made a motion to adjourn. Mr. Seaford seconded the motion, which carried unanimously.

Respectfully Submitted,

Amanda A. Eller, Town Clerk

Donald E. Bringle, Mayor